

EXTENSIONS OF REMARKS

CONGRESSIONAL IMMIGRATION REFORM CAUCUS HEARING

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 2001

Mr. TANCREDO. Mr. Speaker, recently the Congressional Immigration Reform Caucus held a hearing on INS reform, as well as the connections between immigration policy and terrorism. Our witnesses gave immensely insightful testimony. I am submitting the statement of Mr. Mike Cutler for the record.

TESTIMONY OF MICHAEL CUTLER, INS SENIOR
SPECIAL AGENT

Chairman Tancredo, members of the Congress, ladies and gentlemen, I greatly appreciate this opportunity to share my views and perspectives which I have acquired during my roughly 30 years as an immigration officer. I would like to start out by giving you an overview of my career with the INS, I will summarize it for you briefly.

I entered on duty with the INS at New York City in October, 1971, as an Immigration Inspector at JFKIA. I ultimately spent 4 years in that assignment conducting inspections of passengers arriving at that port and seeking entry into the United States. During the course of that assignment I was detailed for approximately one year to an examinations unit known as the I-130 Unit, so-named because the applications which we were adjudicating were known as I-130 Petitions. These are the petitions that are filed by spouses and other relatives who are seeking to obtain Lawful Permanent Resident Alien status for their respective spouses, children or other immediate relatives. My assignment dealt with the I-130 petitions which were filed by either United States citizens or LPRs on behalf of their alien spouses. My goal in this assignment was to seek to uncover marriage fraud in which the marital relationship exists only for the purpose of providing the alien beneficiary with LPR status.

In 1975 I became a Criminal Investigator or, as it is now known, a Special Agent. I have remained a Special Agent with the INS since August of 1975. I have rotated through just about every squad within the Investigations Branch of the INS at NYC during my tenure as a Special Agent. I spent several years, in the aggregate assigned to the Frauds Unit in which I was responsible to uncover a variety of fraud crimes involving INS issues, from fraud schemes carried out with the ultimate goal of obtaining LPR status and/or U.S. citizenship, to the use of fraudulent identity documents to otherwise circumvent the laws enforced by the INS.

In 1988 I was assigned to the Unified Intelligence Division of the New York office of the Drug Enforcement Administration. In this assignment I was responsible to work cooperatively with members of the DEA and other law enforcement personnel and analysts from a wide variety of other agencies including members of the NYPD, New York State Police, U.S. Customs Service, Internal Revenue Service, Federal Bureau of Investigation, Royal Canadian Mounted Police and British Customs. My assignment here

lasted for approximately 3 and a half years. During this assignment I decided to conduct a study on the individuals who were arrested by the DEA by reviewing DEA arrest records. We determined that approximately 60 percent of the individuals arrested by DEA and the DEA Task Force were identified as being "foreign born." Nation-wide approximately 30 percent were identified as "foreign born." For the 3 years that I tracked these statistics, there were only slight variations on the percentages. Although these numbers are now over 10 years old, I imagine that the percentages are probably not much different.

In 1991 I was promoted to my current position of Senior Special Agent and assigned to the OCDETF Unit (Organized Crime, Drug Enforcement Task Force). This assignment requires that I work with other agencies to investigate, apprehend and prosecute aliens who are involved in narcotics trafficking and related crimes.

The INS is charged with the responsibility of enforcing laws that govern the entry of aliens into the United States as well as those laws that are involved in the granting of Lawful Permanent Resident Alien status to aliens and to the bestowing of U.S. citizenship on aliens.

It is often said that you only get one opportunity to make a first impression. Generally speaking, the first laws that aliens entering the United States encounter are those laws that the INS is supposed to enforce. When the INS fails to effectively, consistently and fairly enforce these laws, we are sending a very dangerous message to aliens seeking to enter the United States. In effect we are telling them that not only can they expect to get away with violating our laws, they can anticipate being rewarded for violating our laws!

I have come to think of the INS law enforcement program as a tripod. The Border Patrol is responsible for enforcing the laws between ports of entry, the Immigration Inspectors are charged with the responsibility of enforcing the laws at ports of entry and the Special Agents are supposed to back up both of the other two divisions. Each of these components of the enforcement program, in my opinion, need to be emphasized equally. Just as a camera's tripod needs to have three legs of equal length, the enforcement tripod needs to rest equally on each of its three legs. If you shorten one of the legs on your camera's tripod, it falls over. This is the reality of the INS enforcement program. It seems that each time the call goes out to tighten up on the enforcement of the immigration laws, the typical response is to hire more border patrol agents. I am a great fan of the Border Patrol, they do dangerous and difficult work, however, if we do not also boost resources allocated to the interior enforcement mission, the entire enforcement program becomes ineffective. Aliens who are illegally in the United States don't only come to this country by running the border. Often, they obtain visas under assumed identities or violate the terms under which they were admitted after they enter the United States. As we have seen with the terrorists, most of them, from what I have read, appear to have entered the United States with visas that were issued by the State Department and then engaged in their treacherous missions. The task of tracking down such aliens is purely the domain of the Special Agents.

We also need to exploit technology to help us to track aliens entering and departing the United States. We need to also use this technology to help prevent aliens and other criminals from creating multiple identities for themselves, further complicating the law enforcement efforts of the INS as well as other law enforcement organizations.

We have heard calls recently for the implementation of a student tracking system. We have similarly heard calls for the INS to keep gabs on non-immigrants who violate their terms of admission (or immigration status). I couldn't agree more with these goals, however, I would like to know who is supposed to do this work? If we simply enter this information in a computerized database, we certainly will become aware of violations of the Immigration laws, but then what? I presume that the goal of establishing a tracking system would be done to enable the INS to remove those aliens who violate their Immigration status, however, without a cadre of dedicated Special Agents, who will do the job? Currently, according to published statistics there are fewer than 2000 Special Agents of the INS nation-wide. At the present time, there are approximately 100 Special Agents to cover the southern half of the state of New York, including New York City.

Clearly this situation is untenable. We need to have many more Special Agents. We also need to have an agency that functions effectively. At present, each district office operates more as a franchise than as a component of a paramilitary organization. While I agree that each office needs to have some autonomy to take regional variations into account, the over-all functioning of the agency should stress a direct chain of command from Headquarters to each and every field agent throughout the United States. Each employee needs to feel that he or she is within the chain of command to headquarters and the level of accountability should be directly proportionate with the level that the employ works at. That is to say, the higher up the chain of command, the more accountable the employee needs to be. Issues of morale and attrition rates which have been, in my experience, virtually ignored, can no longer be ignored. A considerable sum of money is spent on recruiting and training each law enforcement officer of the INS. Special Agents require several years from the time they are hired to the time when they are truly "up to speed" and possess the skills and abilities that they need to do their difficult and complex jobs. However, for many reasons, highly qualified agents often leave the INS shortly after they complete their training at the Academy. This revolving door is not cost effective and helps to erode morale and efficiency in those offices which suffer from high attrition rates. It would seem that when Special Agents resign they should be given formal exit interviews to identify the issues which caused them to leave. To my knowledge, this is not being done. Often the agents who leave go on to other agencies where many of them develop successful careers.

The role of the Special Agents is vital. When our nation was attacked on September 11, 2001, the danger posed by terrorists became all too clear, however, various criminal

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

organizations over the years have also exacted their toll from our nation and our people. Go back to that statistic I quoted earlier. Sixty percent of all people arrested in New York City by the DEA and the DEA Task Force were identified as being foreign born. Over the years, how many people may have lost their lives or suffered terribly at the hands of narcotics traffickers? What of the impact of other criminal aliens? We have seen the rise of ethnic organized crime throughout our nation. How many more people have fallen victim to these criminals? The most effective way of dealing with these criminals is to beef up the interior enforcement program of the INS. Any law enforcement agency has two primary goals. Goal one is the detection of crime and the successful investigation, apprehension and prosecution of the criminal who commits the crime. The second goal is to be a credible deterrent to those who would violate the laws which fall under the jurisdiction of that law enforcement agency. This goal is directly dependent on how effectively the agency carries out its first goal. Without an effective interior enforcement program, criminal aliens are emboldened to attempt to enter our nation to commit their crimes. They are not deterred by a program that lacks manpower and leadership. We need to change the reality and consequently, the perception. Not only to prevent future terrorist attacks, but to also deter criminal activities of a wide spectrum of criminals who still find America to be a "Land of Opportunity".

Please understand, I am not opposed to the lawful entry of aliens who come to the United States to share the "American Dream", I only take issue with those who come here in violation of law and who end up creating America's nightmares. Indeed, my own mother was welcomed by this country shortly before the Second World War, enabling her to survive, while her mother, for whom I am named, perished in the Holocaust. We simply need to know who we are admitting and having an agency that possesses the resources to not only track aliens who end up violating their Immigration status, but also has the resources to track them down and ultimately, when appropriate, remove them from the United States. This capability is a matter of nothing less than national security.

ESSAY BY PHILIP ALDRIDGE

HON. C.L. "BUTCH" OTTER

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 2001

Mr. OTTER. Mr. Speaker, in the wake of September 11th, our view of America has shifted. It is as if someone cleaned the window of our perspective, removing the dirt of cynicism and distrust and allowing us to see anew the opportunities that being Americans offers us. Suddenly, we have joined together, united in our resolve to both fight for freedom and to appreciate the freedoms we have. Rather than bickering over petty differences, we find ourselves more willing to reach out to each other, more aware of the basic truths on which our country was founded, and more thankful to those who fought and died to ensure that we can enjoy freedom.

Our renewed sense of patriotism and gratefulness is expressed through the eyes of our young people. Philip Aldridge, an eighth grader from Coeur d'Alene, Idaho, reminds us about how blessed we are to call ourselves

Americans. His essay, "America's Heroes", was written in honor of Veteran's Day on November 11th. I would like to thank Philip for sharing his thoughts with me. His words inspire us to show appreciation for the freedoms we enjoy but often take for granted.

AMERICA'S HEROES

(By Philip Aldridge)

Have you ever stopped and thought about how nice it is to live in America? More often than not, our society takes the hard-earned freedoms that have been bestowed upon us for granted. These rights and freedoms upon which our country was built have been challenged many times and yet we still stand strong and united. For this we can recognize all the men and women of America who have fought with great pride and who gave their lives for what they so strongly believed in. These are our veterans.

Our country enjoys many freedoms not recognized by many. But do you realize that these are what make our nation strong? One of these rights is freedom of religion. Our country was inhabited and founded by men and women who unfortunately had religion forced upon them. Religious tolerance, which means the willingness to accept faith different from your own, was put into place during the birth of our country.

Every four years we elect a president. And every four years, people complain about who was elected. If you look at other countries, the people don't even choose who their leader is. In most cases, the leader either comes from a line of royalty or he assembles himself with full power. We the people of America, are very fortunate to have a freedom to vote.

The most well-known freedom in our society is freedom of equality. In the Declaration of Independence, it states that all men are created equal. This means that whether you're of a different race or if you're a male or female, everyone has equal rights.

Any citizen of the United States should be deeply grateful for these freedoms for which soldiers have fought and defended. We can show appreciation for these privileges by serving our country, respecting its laws, and honoring America's heroes and patriots . . . our veterans.

IN HONOR OF RITA J. KAPLAN

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 2001

Mrs. MALONEY of New York. Mr. Speaker, I rise today to pay special tribute to Rita J. Kaplan, who is the driving force behind the new mammography clinic at Bellevue Hospital in New York City.

Ms. Kaplan is an inspiration to us all. She is a known fighter and victor for important causes. She fights for what she believes in and never loses her sense of compassion for others.

Ms. Kaplan realized the need for a new clinic at Bellevue Hospital when a family member was diagnosed with breast cancer. Ms. Kaplan's four grandparents, who arrived in the early 1890's, had a history of receiving extraordinary and caring treatment at Bellevue, and she wanted to make sure that today's Bellevue patients continue to receive first class care. Recognizing that Bellevue's mammography clinic needed refurbishment and new equipment, Ms. Kaplan devoted her con-

siderable energies and resources to making Bellevue's facility the finest available. In her honor, Bellevue is naming the new center, the Rita J. Kaplan Breast Imaging Center.

As a child, Ms. Kaplan wanted to be a doctor, but while in college at the University of Wisconsin, she turned to a career in social work. She continued on with her education, receiving a master's degree in social work from Columbia University. She was trained as a clinical social worker and received advance training at the Ackerman Institute, in family therapy.

In the early 1980s, she and her husband, Stanley H. Kaplan, donated a fund to found the Rita J. and Stanley H. Kaplan Comprehensive Cancer Center. They also donated \$2 million to help establish a new home for the Jewish Board of Family and Children's Services, which was named in their honor.

Ms. Kaplan, a life-long crusader and political activist, is a member of the Board and Executive Committee of the Jewish Board of Family and Children's Services; Chairperson of the Management Committee of Jewish Connections, Divisional Committee of JBFC; Member of the Management Committee at Kaplan House; and a Member of the Board of Sutton Place Synagogue where she sits on the Rabbi's Committee. She also sits on various UJA-Federation committees.

Ms. Kaplan served on boards of the Hemlock Farms Community Association in the Poconos; the Brooklyn Philharmonic Orchestra; the Madeline Borg Community Services Divisional Committee; and the Board of the Solomon Schechter High School of New York.

Mr. Speaker, I salute the work of Rita J. Kaplan, and I ask my fellow Members of Congress to join me in recognizing her contributions to the New York community and to our country. Thank you.

EXPRESSING SENSE OF CONGRESS IN HONORING THE CREW AND PASSENGERS OF UNITED AIR- LINES FLIGHT 93

SPEECH OF

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2001

Mr. TANCREDO. Mr. Speaker, I rise in support of H.R. 3248 and wish to fully express my gratitude to the crew of United Flight 93, and especially its captain, Jason M. Dahl. It was with immense sadness that I learned that the Dahl family and indeed all of Colorado had been robbed on September 11th of a good man and a good father. Mr. Dahl's family, to paraphrase President Lincoln, must feel enormous pride for having laid such a costly sacrifice upon the altar of freedom.

According to a friend, Dahl learned to fly before he learned to drive. A neighbor remembered Dahl's football and baseball games in the street with neighborhood children and his commitment to his family and his community. Having read the statements of those who eulogized him, I cannot help but conclude that the gentleman flying that plane was one of America's best—a great father and husband alike. Since September 11th, America has rediscovered the importance of family, and turned to family members for comfort and understanding. It is no small tragedy that the

Dahl family does not have this luxury, having been left incomplete on September 11th.

Most of us saw evil on that day watching the pictures of the two planes collide with the World Trade Towers in New York City. Jason Dahl almost surely saw evil in a different form. He must have seen it in the faces of the hijackers and known that it was in their hearts.

The loss of Mr. Dahl and all of the passengers aboard Flight 93 will not be forgotten—certainly not by this body. This morning, we passed a resolution calling for a plaque to be placed on the grounds of the Capitol memorializing their deaths. I would suggest that their memory will go much farther. The fact that this great building and its dome—two irreplaceable symbols of American democracy—still stand today will always be a living memorial to their sacrifice.

My prayers, Mr. Speaker, are with all of the innocent civilians who died aboard that plane, and especially Jason Dahl and his family.

TERRORISM RISK PROTECTION ACT

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 29, 2001

Ms. McCOLLUM. Mr. Speaker, I rise today to discuss my views on H.R. 3210, the Terrorism Risk Protection Act.

With the unexpected attacks on New York City and Washington, DC on September 11th, the United States has fought many battles in the past two months. The loss of lives, jobs, homes and businesses have had unforeseen effects on our country, and the world.

Under such circumstances, it is our duty as Americans to rise in support of our country. As a Member of Congress, it is my job to look out for the best interest of those affected by such tragedies. H.R. 3210, in its original state, did provide for the interests of Americans.

While I was supportive of the bipartisan bill as approved by the Financial Services Committee, I am very disappointed with the significant changes made by the majority leadership in the Rules Committee. Unnecessary provisions were added in an effort to open this legislation up for partisan tort reform.

The revised legislation limits the rights of a victim to seek legal action due to terrorist attacks. In addition, the restrictions include a complete ban on punitive damages, as well as non-economic damages. Such restrictions on damages will severely limit the possibility of victims to receive compensation for negligence.

The bill will force every legal action involving a terrorist-related claim into federal court even though states are the traditional arena for deciding such cases. This bill is written so broadly that its restrictions would apply to any future legal action involving terrorism, even if an insurance company were not a party to the action.

I supported a compromise in which the insurance industry was to assume appropriate financial responsibility. There is simply no need for such broad and controversial tort reform provisions to be attached to this measure.

The minority substitute, which I support, strikes the tort provisions, requires an industry

deductible, and ensures affordable and available coverage.

The underlying goal today is not only about helping the economy, and the insurance and reinsurance companies. Victim's rights should not be limited. H.R. 3210, without the Democratic substitute amendment, limits the rights of victims, and leaves who is left accountable in question.

It's true; the insurance industry faces a rough road ahead. It's true that this industry is essential to America's economy. While I do agree with the underlying concept of protecting the insurance industry, I could not vote for final passage of this legislation in its current form.

BIPARTISAN TRADE PROMOTION AUTHORITY ACT OF 2001

SPEECH OF

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 6, 2001

Mr. WAXMAN. Mr. Speaker, I rise in strong opposition to H.R. 3005, the so-called Bipartisan Trade Promotion Authority legislation, also known as "fast track," proposed by Ways and Means Committee Chairman Bill Thomas.

While I believe deeply in the benefits of free trade, this shortsighted bill ignores the need to protect workers and the environment in our international trade agenda. It also jeopardizes the environmental, health, and safety laws here in the United States.

I have supported a number of trade agreements negotiated by Presidents in the past, but fast track is unique. As the mechanism that authorizes the President to negotiate trade agreements, it is the one chance Congress gets to direct the objectives and the scope of the U.S. trade agenda for the next seven years. It is the primary opportunity for Congress to design trade goals that reflect American ideals for human rights, labor rights, and environmental protection.

It is outrageous that recent trade agreements have given foreign companies veto power over our regulatory authority at the local, state, or federal level. I voted against the North American Free Trade Agreement (NAFTA), in part because Chapter 11 of the agreement gave foreign companies the right to sue the United States for trade-related financial losses. The result has been devastating to California and the Thomas bill would allow the same provisions to be placed in future agreements.

It is under Chapter 11, for example, that a Canadian corporation is suing the United States seeking \$970 million in compensation because of California's decision to phase-out MTBE, a toxic gasoline additive that leaked from pipelines and storage tanks, poisoning California water supplies and rendering them unusable.

In my district, the City of Santa Monica faced MTBE contamination of its drinking water supply and has had to import more than 80% of its drinking water. Sadly, this story has been repeated in other parts of the state, as well as other parts of the country. The Canadian company, which is trying to prevent the phase-out of MTBE, is seeking \$970 million in compensation, asserting that California's

phase-out impeded its business interests and profits. The case is pending before a closed door NAFTA tribunal with no possibility of consideration or appeal in U.S. courts.

I strenuously object to any proposal that would subjugate the health and safety of American citizens to the profit goals of international corporations. I strongly believe that the U.S. should not be allowed to undermine the health, safety, and environment laws of other countries either. I have opposed efforts by U.S. trade negotiators who have acted on behalf of special interest groups to challenge foreign laws, such as those designed to protect food supplies curb smoking, and increase access to life-saving HIV/AIDS medication in developing countries.

For example, U.S. trade negotiators, acting on behalf of the pharmaceutical companies, have tried to use international trade law to challenge governments in sub-Saharan Africa that are struggling to provide affordable medicines to people suffering from the AIDS epidemic. In southern Africa as many as 1 in 4 are suffering from AIDS, more than twelve million children have been orphaned by the disease, and the overall rate of infection is eight times higher than the rest of the world. Yet, the Thomas bill completely ignores this crisis and would allow the trade challenges to continue.

Furthermore, the Thomas bill would direct the President to challenges prescription drug pricing systems that have been implemented in Canada, Europe, and other countries to keep prescription drug prices from spiraling out of control. In fact, it may even jeopardize efforts here in the United States to provide affordable Medicare prescription drug benefits to seniors.

And in addition to possibly putting our public health and safety in jeopardy, the bills shows complete indifference toward labor rights. Meekly suggesting that countries should enforce their own labor laws, the bill only promotes the perpetuation of weak labor laws that often allow the exploitation of child and slave labor, and discriminatory treatment and harassment of labor activists in violation of the five core standards of the International Labor Organization (ILO).

If we want to work toward a progressive world trading system, we should be working for a world economy that lives up to higher standards instead of sinking to lower ones.

We should be expanding and updating our negotiating agenda to reflect the dramatic changes that have taken place in just the last few years since the previous Fast Track expired in 1994. There are now new items on the table at the WTO regarding intellectual property, antitrust law, investment rules, electronic commerce, product/food labeling, and technology transfer. The United States has set new precedents by including environmental and labor standards in the trade agreement with Jordan and trade expansion measures with countries in the Caribbean and Africa. We should not be prevented from pursuing these provisions in future trade agreements.

We should be insisting on more Congressional influence and oversight over the trade agenda. Unfortunately, the Thomas bill would minimize our role and stifle any meaningful opportunity for Congress to revoke fast track if the President violates or ignores key negotiating objectives.

The bill also does nothing to increase transparency of the trade negotiations, deliberations, and rulings veiled in secrecy. It fails to advocate the publication of negotiating texts, or address the critical need for changes to dispute settlement mechanisms that are not even open to the submission of amicus brief by non-governmental entities that have an interest in the deliberations.

The Democratic substitute offered by Mr. RANGEL and Mr. LEVIN, which the Republican leadership unfairly blocked him from offering, seriously looks at ways to address all of these matters. It would take advantage of the scarce opportunity fast track offers for Congress to shape the future of a world trade system with leadership from the United States on issues important to workers and the environment.

The bill calls for specific rules to ensure that it would not be a trade violation for a country to enforce a Multilateral Environmental Agreement (MEA), such as the treaty prohibiting trade in endangered species. It would also make progress on the issue of investor provisions by clarifying that investors protection rules cannot be used to undermine legitimate health, safety, and environmental laws.

In addition, the Rangel-Levin bill would explicitly clarify the right of WTO members to adopt measures necessary to respond to national emergencies like the HIV/AIDS epidemic by increasing access to essential medicines, and set at least some limitations on challenges to prescription drug price containment.

Moreover, the bill would provide a much stronger role for Congress by providing a structural biennial review of ongoing negotiations, and a process for the House to bring a resolution rescinding trade promotion authority to the floor for a vote if it is supported by at least one-third of the House.

At a time when we have the chance to move a progressive U.S. trade agenda forward, I regret that the Republican leadership squandered the opportunity to work with Democrats to achieve legislation that enjoyed strong bipartisan support. I urge my colleagues to join me in voting against the Thomas bill and in support of the Rangel-Levin alternative.

EXPRESSING SENSE OF CONGRESS REGARDING TUBEROUS SCLEROSIS

SPEECH OF

HON. LYNN N. RIVERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 2001

Ms. RIVERS. Mr. Speaker, I rise today to express my strong support for this resolution to raise awareness of and strengthen the fight against tuberous sclerosis.

This genetic disease often goes undetected, preventing those struggling with the disease from obtaining needed care. Afflicting vital organs, tuberous sclerosis causes tumor growth and seizures and can lead to learning disabilities and behavioral problems.

The nearly one million people worldwide known to have tuberous sclerosis need help, and it is our responsibility as public leaders to assist them by strengthening efforts to identify and treat this disease. The cause of the mutations that cause tuberous sclerosis are not understood, but increased research and

attention to this disease will increase our chances of finding a cure.

By passing this resolution, we are demonstrating to the American people that we know tuberous sclerosis is a problem and that we are determined to solve it. And we are telling health care providers and researchers that we recognize their efforts and will stand behind them in seeking an effective treatment for this disease. I am proud to support these efforts.

PERSONAL EXPLANATION

HON. BOB RILEY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 2001

Mr. RILEY. Mr. Speaker, I was unavoidably detained for rollcall No. 482, H.R. 2944, the District of Columbia FY2002 Appropriations Conference Report. Had I been present I would have voted "nay."

PERSONAL EXPLANATION

HON. JEFF FLAKE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 2001

Mr. FLAKE. Mr. Speaker, I was not present for the vote on rollcall vote No. 482. Had I been present, I would have voted "nay."

BIPARTISAN TRADE PROMOTION AUTHORITY ACT OF 2001

SPEECH OF

HON. JOHN R. THUNE

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 6, 2001

Mr. THUNE. Mr. Speaker, I have thought long and hard about this important vote on trade promotion authority. Frankly, people in South Dakota have different views about the issue of trade and its impact on our rural economy. Many of the livestock producers where I come from in Western South Dakota have been hurt by unfair trade practices. I have listened to their stories and am more convinced than ever that if South Dakota agriculture is to fully realize the benefits of trade, it must be fair trade. To get fair trade, we must have a seat at the table.

In recent years, the United States has fallen behind. Our competitors in Europe and around the world are negotiating trade agreements that will give them advantages over the United States in their trade with other countries.

There are 130 regional trade agreements currently in force today. The United States is a party to just two. Every day it gets more and more difficult for our products to be exported overseas.

Fair trade requires tough negotiations, sound agreements, and strong enforcement. I believe President Bush will negotiate fair agreements with other countries to open up markets overseas for U.S. goods. I also believe he will enforce these agreements by imposing real consequences on countries that

violate trade agreements with the United States.

I vote for this legislation today out of a belief that President Bush will do the right thing for American agriculture. That means according agriculture the high priority it deserves at the trading table. And as I indicated earlier, that also means tough negotiations, sound agreements and strong enforcement. Only then will we see fair trade and only then will we realize the promise of greater trading opportunities for South Dakota farmers, ranchers and small businesses.

I will be watching to make sure that agriculture gets a fair shake. I will be watching, and if agriculture is not treated fairly, the Administration will be hearing from me early and often.

I am pleased that this legislation strengthens the role of Congress by requiring the U.S. Trade Representative to consult with the House and Senate Agriculture Committees during the negotiations, and prior to any agreement involving agriculture. As a member of the House Agriculture Committee, I look forward to that new voice.

Mr. Speaker, South Dakota has broad interests. I've listened to agricultural producers and business interests from across the state tell me how they feel about trade and South Dakota's ability to keep up. I've heard again and again that if agreements are fair and enforced that we can compete and win in the world marketplace. I will fight to make that happen.

TRIBUTE TO MR. BOB MILEY

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 2001

Mr. WALSH. Mr. Speaker, at the end of this year the House will say farewell to one of our most loyal and dedicated employees, namely, the Superintendent of Buildings, Bob Miley.

I have known Bob for several years and worked very closely with him in 1997-98 during my tenure as chairman of the Appropriations Subcommittee on the Legislative Branch. The person who responded to my questions about the many problems related to this House complex was Bob Miley. If ever a person knew first hand what needed to be accomplished in a priority manner it was Bob. He planned and executed his assignment with skill and expertise.

When you work your way up through the system as Bob did, starting from being a temporary elevator operator in 1962, and rising to the position of building superintendent some 25 years later, it clearly indicates your skills are recognized by everyone.

The work of caring for the House takes dedication and devotion on a daily basis. One doesn't simply start at nine and expect to leave at six. The problems related to work follow you 24 hours a day and 365 days a year. This vast facility is always changing and the unexpected occurs regularly.

Bob Miley has a difficult job. His patience and understanding is in large part the reason for his successful reign. He has earned respect from the members and his colleagues who work so closely with him on a daily basis.

I hope every member of this House will recognize the contribution Bob Miley has made

during his almost 40 years of service. He is to be congratulated for his effort on our behalf and I extend to him warm wishes for a wonderful retirement ahead.

Bob, in conclusion let me simply offer my personal thanks for a job well done.

PERSONAL EXPLANATION

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 2001

Mr. SAM JOHNSON of Texas. Mr. Speaker, due to a scheduling conflict I was unavoidably detained and missed rollcall votes 469, 470, 471, 472, 473, 474, 475, and 476 on December 5 and 6, 2001. Had I been present I would have voted "aye" on H. Con. Res. 242, H.R. 3348, H. Con. Res. 102, H. Res. 298, H. Con. Res. 232, H. Con. Res. 280, the Motion, and H. Res. 305, respectively.

NATIVE AMERICAN SMALL BUSINESS DEVELOPMENT ACT

SPEECH OF

HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2001

Ms. McCOLLUM. Mr. Speaker, in regard to H.R. 2538, the Native American Small Business Development Act, I would like to include in the RECORD the following letter I received from the Red Lake Band of Chippewa Indians.

RED LAKE BAND OF CHIPPEWA INDIANS,
Red Lake, MN, December 5, 2001.

Re Inclusion of Native American Business Development Centers as Eligible to Apply for the Native American Small Business Development Act Funding (Advocacy)

Hon. BETTY MCCOLLUM,
*Western Avenue North, Suite 17,
Saint Paul, MN.*

DEAR CONGRESSWOMAN MCCOLLUM: We appreciate your sponsoring the Native American Small Business Development Act (H.R. 2538) and the inclusion of Executive Order 13175—Consultation and Coordination with Indian Tribal Governments in the bill.

The Upper and Lower Red Lakes form over one-third of the reservation's surface area. The Red Lake Reservation is home to members of the Red Lake Band of Chippewa Indians. The Red Lake Chippewa have lived on the shores of Red Lake since the early 1700s. The band reserved the Red Lake Indian Reservation when they ceded some 2.9 million Acres of surrounding lands to the United States in trust in 1889. An 11-member Tribal Council now governs the reservation.

As you know, Native American Business Development Centers, funded by the Minority Business Development Agency (MBDA) have delivered specialized business development services to the American Indian community since 1972. You may not know that in 2001, the forecast is that these centers, which will receive \$1,583,500 in funding, will generate \$118,305,884 in contracts and financing. This, by any economic measurement is an excellent return on the investment for the federal government.

There are eight Native American Business Development Centers nationwide staffed by Professional American Indian tribal members who understand cultural and economic barriers facing Indian communities (see attached listing). Native American Business Development Center's personnel focus solely on American Indian economic development and have the expertise to serve the unique needs of Indian tribal members.

Native American Business Development Centers deliver services required for successful work in Indian Country and include specialization in:

Government to government relationship between the federal Government and respec-

tive tribal governments (special programs and unique resources based on the relationship);

Histories of Indian tribes—as separate and independent political sovereign communities within the United States;

Tribal loan and grant programs for economic development;

Reservation trust land status and collateral financing issues associated with it;

The lack of infrastructure due to isolation and remoteness. Roads, sewers, electricity, telephone lines/Internet access (61% of reservation homes lack telephones/Internet access), plumbing; tribal business codes, tribal court systems and laws pertaining to economic development;

Utilization of Indian specific agency programs, such as the Department of Defense—Five Percent Indian Incentive for the use of Indian Subcontractors Program;

Indian Preferences under Subsection 7(b) of the Indian Self-Determination and Education Assistance Act (1975), the Johnson-O'Malley Act of 1934, the Snyder Act of 1921, and the Buy Indian Act of 1910;

Cultural barriers (Native American Business Development Centers have successfully worked with tribal councils for over 30 years).

The MBDA and Small Business Administration when serving multiple populations created the Native American Business Development Centers to address unique cultural and economic problems and opportunities that were not addressed.

As you know, the 19th Century Indian preference statutes continue today with "Indian Preference" legislation—it is a continued recognition and respect of the federal government's commitment to honor treaties with Indian tribes and uphold the intent of the United States Constitution.

We respectfully request that you consider an amendment to your well-intended bill that would include Native American Business Development Centers as eligible (and ideally suited) to apply for the Native American Small Business Development Act funding.

Sincerely,

BOBBY WHITEFEATHER,
Chairman.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, December 11, 2001 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

DECEMBER 12

9:30 a.m.

Armed Services

To hold hearings to examine the Department of Defense implementation of the President's Military Order on the detention, treatment, and trial by military commissions of certain non-citizens in the war on terrorism.

SR-325

10 a.m.

Judiciary

To hold hearings to examine the future of the Microsoft settlement.

SD-106

Finance

Business meeting to markup H.R. 3005, to extend trade authorities procedures with respect to reciprocal trade agreements; and to consider the nomination of Richard Clarida, of Connecticut, to

be Assistant Secretary for Economic Policy, the nomination of Kenneth Lawson, of Florida, to be Assistant Secretary for Enforcement, and the nomination of B. John Williams, Jr., of Virginia, to be Chief Counsel for the Internal Revenue Service and Assistant General Counsel, all of the Department of the Treasury; the nomination of Janet Hale, of Virginia, to be Assistant Secretary for Management and Budget, and the nomination of Joan E. Ohl, of West Virginia, to be Commissioner on Children, Youth, and Families, both of the Department of Health and Human Services; and the nomination of James B. Lockhart, III, of Connecticut, to be Deputy Commissioner of Social Security, and the nomination of Harold Daub, of Nebraska, to be a Member of the Social Security Advisory Board, both of the Social Security Administration.

SD-215

2 p.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine the state of human rights, democracy and security concerns in Kyrgyzstan, focusing on human rights and democracy in the Central Asian region. 334, Cannon Building

2:30 p.m.

Intelligence

Closed business meeting to consider pending calendar business.

S-407, Capitol

Foreign Relations

Business meeting to consider S. 1779, to authorize the establishment of "Radio Free Afghanistan"; H.R. 3167, to endorse the vision of further enlargement of the NATO Alliance articulated by President George W. Bush on June 15, 2001, and by former President William J. Clinton on October 22, 1996; S. Con. Res. 86, expressing the sense of Congress that women from all ethnic groups in Afghanistan should participate in the economic and political reconstruction of Afghanistan; H. Con. Res. 77, expressing the sense of the Congress regarding the efforts of people

of the United States of Korean ancestry to reunite with their family members in North Korea; and H. Con. Res. 211, commending Daw Aung San Suu Kyi on the 10th anniversary of her receiving the Nobel Peace Prize and expressing the sense of the Congress with respect to the Government of Burma; and pending nominations.

SD-419

DECEMBER 13

9 a.m.

Governmental Affairs

To hold hearings to examine security of the passenger and transit rail infrastructure.

SD-342

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine housing and community development needs in America.

SD-538

Judiciary

Business meeting to consider pending calendar business.

SD-226

2:30 p.m.

Armed Services

Strategic Subcommittee

To hold hearings to examine the security of U.S. nuclear weapons and nuclear weapons facilities, to be followed by closed hearings (in Room SR-232A).

SR-222

3 p.m.

Foreign Relations

Central Asia and South Caucasus Subcommittee

To hold hearings to examine contributions of central Asian nations to the campaign against terrorism.

SD-419

DECEMBER 18

10 a.m.

Health, Education, Labor, and Pensions

To hold hearings to examine the limits of existing laws with respect to protecting against genetic discrimination.

SD-106